Case 2:08-cv-00197-J-BB Document 6 Filed 04/10/09 Page 1 of 1 U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS **APR** In 2009 AMARILLO DIVISION CLERK, U.S. DISTRICT COLIRT DEPLITY EMILIO SANCHEZ DURAN. \$\$\$\$\$\$\$\$\$\$\$\$ Petitioner. v. 2:08-CV-197 NATHANIEL QUARTERMAN, Director, Texas Department of Criminal Justice. Correctional Institutions Division.

ORDER OVERRULING OBJECTIONS, **ADOPTING REPORT AND RECOMMENDATION** and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Respondent.

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On March 12, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's habeas petition be dismissed. On March 31, 2009, petitioner filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED. ENTERED this _______ day of ____ 2009.

UNITED STATES DISTRICT JUDGE